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November 18, 2003

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Antoinette Kitchen  
Senior Reports Analyst  
Reports Analysis Division  
Federal Election Commission  
Washington, DC 20005

Re: Service Employees International Union Political Action Committee  
(C00004036)  
Amended 30 Day Post-General Report 2002 (10/17/02 - 11/25/02),  
received 12/10/02

Dear Ms. Kitchen:

This is in further response to your information request dated May 14, 2003 concerning the above referenced report. As we have indicated in previous filings and correspondence, our computer software does not allow us to file amended reports for this period in the new format required. We have since switched to a new computer software program and are working on a technical solution that will allow us to file amended reports electronically in the new format. Until we can test and implement those changes, I am submitting this letter to answer your inquiry. If our current approach works, we expect to file an amended report for the period by the end of this month.

You requested a clarification of the expenditure described as "Polling P. Wellstone (Senate) MN" as reported on Schedule B for Line 29 at page 106 of the amended report filed 12/10/02. We have reviewed the transaction and believe that it was correctly reported as an Other Disbursement included on Line 29; it was not an in-kind expenditure for the candidate nor was it an independent expenditure "for a communication expressly advocating the election or defeat of a clearly identified candidate" (11 CFR 100.16(a)). The purpose reported on Schedule B should read "research about Minnesota Senate race" and will be amended when we are able to file an amended form for this period electronically.

You also inquired about the year-to-date totals reported in Column B for Lines 23 and 29. Our review has determined that the year-to-date amounts on these Lines are correct. The totals represent a shift of \$500 from Line 23 to Line 29 after the prior report was filed on 10/24/02. This shift was the result of correcting the \$500 contribution made to the Elect Underwood/Ada Committee. That contribution, made on 7/17/02 related to a

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ANNA BURGER  
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non-federal election, the Governor's election in Guam, but was inadvertently included in Line 23 (and detailed on Schedule B for Line 23, see transaction CD1421SEI) on the August 2002 monthly Report. Correcting the treatment of that transaction resulted in a \$500 decrease of the previous year-to-date total for Line 23 and a corresponding \$500 increase in the year-to-date total for Line 29. We will file an amended August Monthly Report as soon as our software problem has been worked out.

You also inquired about several transactions that appeared to be contributions made to primary campaigns after the date of the primary. In our letter of 12/6/02 we explained that our computer software did not allow us to correctly describe some transactions (e.g., debt retirement and contributions for run-off elections) and provided the correct descriptions for the contributions to David Scott for Congress (primary debt retirement), Committee to Elect Linda Sanchez (primary debt retirement) and Christopher Bell for Congress (run-off election).

You also inquired about the entries for contributions to Louise Slaughter Re-Election Committee. Because of the limits of the software program in place at the time, we were not able to properly describe the series of five transactions involving this candidate and included on this report. When considered together, they show that the candidate received timely contributions of \$5,000 to both the primary and general elections for 2002. Another contribution was made prior to the 2002 general election which was in excess of the limit, however we have received, deposited and reported the candidate's committee's refund of that contribution.

The full descriptions of the five transactions on the report for this period are as follows:

- CD1650SEI is the negative entry to reverse the disbursement dated 10/28/00 and reported on the pre general report for the period ending 10/18/00 as applied to the 2000 General election.
- CD1652SEI is the positive entry to redesignate the check from 10/18/00 to the 2002 Primary since the candidate did not receive it until after the 2000 election and treated it as for the 2002 Primary.
- CD1651SEI is the negative entry to reverse the disbursement dated 6/7/01 (reported as CD1071SEI on the 2001 mid year report) which was originally reported as applying to the 2002 Primary as we were unaware of the candidate's treatment of the previous contribution.
- CD1653SEI is the positive entry to redesignate the check from 6/7/01 to the 2002 General election.
- CR29247SEI is the cash receipt of a check from the candidate's committee that refunds our disbursement from 7/17/02 (reported as CD1420SEI on the August 2002 Monthly Report) which was reported as applying to the 2002 General Election.

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I believe we have now responded to all of the issues raised in your request. Please call me at 202 898-3465 if you have any further questions on these matters. We will continue our efforts to implement a technical solution to allow us to file an amended report in the new format for this prior period.

Sincerely,

A handwritten signature in black ink, appearing to read "John J. Sullivan", with a long horizontal flourish extending to the right.

John J. Sullivan  
Associate General Counsel

## Federal Election Commission

**ENVELOPE REPLACEMENT PAGE  
FOR INCOMING DOCUMENTS**

The Commission has added this page to the end of this filing to indicate how it was received.

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